

MINUTES OF A PUBLIC HEARING HELD TUESDAY DECEMBER 8, 2009, AT 7:00 P.M. AT THE FRANK VENABLES AUDITORIUM, 10332 350TH AVENUE, OLIVER, B.C., RECESSED AND RECONVENED WEDNESDAY DECEMBER 9, 2009 AT 7:00 P.M. AT THE PENTICTON LAKESIDE RESORT, 21 W. LAKESHORE DRIVE, PENTICTON, REGARDING THE REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN SUB-REGIONAL GROWTH STRATEGY BYLAW NO. 2421, 2007. (RGS)

Present

Dan Ashton, Chair
Donna Butler, Development Services Manager
James Moore, Planner
Gillian Cramm, Recording Secretary

Representing

Regional District of Okanagan-Similkameen
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28 members of the public in attendance Tuesday evening
53 members of the public in attendance Wednesday evening

The Chair declared the public hearing open at 7:02 p.m. and explained the process of the public hearing. It was noted that two binders were available which included all written comments received to date and the Chair invited anyone wishing to review the comments to do so.

The Planner outlined the proposed bylaw.

The Chair asked if anyone wished to speak to the proposed bylaw.

Sean Dougherty, Director of Dominion Radio Astrophysical Observatory, stated that they support the proposed bylaw. The location of the observatory was chosen over 50 years ago based on several factors and the factors are still relevant today. A paramount concern is protection from electro-magnetic interference. The proposed RGS strengthens protective provisions in the Official Community Plans and Zoning Bylaws by setting clear policy direction and reduces any uncertainty in interpretation of the OCP and Zoning Bylaws. Together, the Regional Growth Strategy, OCPs and Zoning Bylaws will ensure the continued success and long-term viability of the Observatory. DRAO supports the RGS because it respects the EMI sensitivity at the Observatory by minimizing development-related EMI risk through maintenance of a low population density. The Observatory is supportive of policy H1.6 that aims to protect the unique operating requirements of the observatory by minimizing development in electro-magnetic interference area. Policy H1.6 supports DRAO's economic and scientific roles in the community; it also supports the RGS aims of protection the integrity of rural areas and maximizing the efficient use of infrastructure. The Observatory also appreciates Policies Ec2.5 and Ec6.5 which make reference to the scientific and economic roles of DRAO. The adoption of the Regional Growth Strategy is vital to the long term success and viability of the observatory. He submitted a letter which is attached and forms part of these minutes.

Irene Roberts, St Andrews on the Lake, stated that she is pleased with the amendments to the proposed Regional Growth Strategy. The protection of the Dominion Radio Astrophysical

Observatory is necessary and the removal of St. Andrews and many other areas from the secondary growth status is commendable. Preserving our agricultural land base, fragile ecosystems and water resources are mandatory. She submitted a letter which is attached and forms part of these minutes.

Dave Evans, Oliver, stated that he feels that our heritage values and historical values should be incorporated in the document. We should promote tourism for historical values instead of always making commercialism our first priority.

Chris Purton, Farley Lake, stated that he has lived here for quite some time and has become aware that something like the Regional Growth Strategy is needed. He commended the RDOS on what has been brought forward and believes the present form of the draft bylaw is an excellent balance between conflicting interests. He hopes the present form of the bylaw will be adopted.

Harry Neilson, Kilpoola, stated that he is happy that the amendments to the RGS document offer some protection to White Lake, Farley Lake and Kilpoola. The Kilpoola area has spent over \$300,000.00 in dry wells and needs to be careful that more water isn't taken out because there isn't any left. He thanked the RDOS for taking the time to do this.

Sylvia Meyer, St. Andrews by the Lake, thanked the RDOS for the positive amendments to the draft bylaw. She stated that she is in favour of the bylaw.

Doreen Olson, Kaleden, thanked the RDOS for the positive amendments to the Regional Growth Strategy. She is pleased with the support for the observatory. The area ecosystems are rare. Bird watching and environmental activity as well as the geology and geography of the areas is very attractive to tourism. She supports the document.

Greg McDonald, Willowbrook, asked for clarification regarding the how the good intentions of the Regional Growth Strategy will affect regulatory decisions.

The Planner stated that the Regional Growth Strategy is linked directly to electoral area Official Community Plans. The Local Government Act states that the Regional District cannot pass any bylaws that are inconsistent with the Regional Growth Strategy. But amendment to the official community plans or zoning bylaws would have to be consistent with the Regional Growth Strategy.

Greg McDonald stated that in British Columbia there is no ground water legislation with respect to access to water below ground. There are parts of the RGS that speak to the concerns over water, but it is hard to see how there is any relationship back to regulatory authority for rural residential development and its impact on ground water.

The Planner stated that issues such as ground water may be beyond the sole regulatory power of the RDOS. The RGS tries to make links between the agencies involved in water management to achieve water sustainability. Specifically to individual developments, the intention of the RGS is to bring policies to bear on individual major developments through a sustainability checklist to deal with issues such as water sustainability.

Dave Evans stated that he doesn't think rural habitable areas for human habitation can occur until we have consultant studies for ecology, geology, water. It should not be done any other way.

The Chair asked a second time if there was anyone who wished to speak further to the proposed bylaw.

The Chair asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, the public hearing recessed at 7:42 p.m.

When the meeting reconvened at 7:00 pm on Wednesday December 9 at the Penticton Lakeside Resort, there were 53 people in attendance.

The Chair reconvened the public hearing at 7:00 p.m. and again explained the process of the public hearing. It was noted that a binder is available which includes all written comments received to date and the Chair invited anyone wishing to review the comments to do so.

The Planner outlined the proposed bylaw.

The Chair asked if anyone wished to speak to the proposed bylaw.

Pam Moore, Interior Health Authority, stated that IHA is interested in the Regional Growth Strategy. Research has shown that health can be improved and illness reduced through different approaches to planning communities. Active transportation such as biking or walking, community gardens providing access to fresh foods and creating age friendly buildings for our aging population are examples of this. IHA has expanded its role in land use reviews to include the health effects associated with the built environment. Areas of health significantly affected by the built environment include water, air noise, healthy child development, injury prevention, physical activity, housing, access and inclusion from a mental health and disability aspect, and nutrition and food security. IHA would like to offer staff and research based information to the Board to help support their vision of creating a healthy community. She submitted a letter which is attached and forms part of these minutes.

Ben Amos, Naramata Road, stated that the White Lake observatory should be protected at all costs. The RGS document protects this asset.

Gerry Karr, Penticton, stated there is potential for conflict between development and DRAO. DRAO is a jewel in the crown of the South Okanagan. It is a world class brain trust, recognized throughout the world. The work of over 50 scientists provides the basis for the knowledge transfer for technology and industrial development that expands and strengthens our economy. This document protects the region from development that would harm the environment and compromise the success of DRAO. He stated he was glad St. Andrews was removed from the list of secondary growth areas.

Eva Durance, Penticton, stated that she sees some very important changes from the previous draft of the document such as the removal of secondary growth areas, stronger focus on development in areas that already have infrastructure, protection of environmental values, support for protection of

DRAO, and collaboration with First Nations. The sustainability checklist will be very important tool for assessing development.

Michael Ryan, a Councillor with the Town of Osoyoos, stated that he was representing the Town of Osoyoos. He stated that staff and Council have followed the development of Regional Growth Strategy. Some of the smart growth principles that the Town had proposed to be incorporated in the RGS document are to designate primary growth areas on the Growth Management map and designate a limited number of rural growth areas; to require urban growth boundaries; to direct a large majority of new population growth to primary growth areas; to promote compact urban residential development in primary growth areas along with commercial, institutional and industrial clustering; to accommodate rural-scaled development by infilling designated rural growth areas; to required that RDOS consider any proposal for an additional primary or rural growth area as a major amendment to the RGS; to require that the RDOS or a municipality consider a proposed amendment to their urban growth boundary subject to assessment against a sustainability checklist; and in the interim period, before the RDOS establishes urban growth boundaries in all its respective OCPs, require that it refers all substantial development applications to south Okanagan municipalities for their comment. Many of these principles have been incorporated into the amended document. He submitted a letter which is attached and forms part of these minutes.

Robert Handfield, Kaleden, representing the South Okanagan Naturalist Club, stated that although Policy Ec4 is to promote tourism activity, it is lacking in failing to mention eco-tourism. The Okanagan Valley is already recognized as a destination for wild-life watching, in particular birding and they would like to see such tourism encouraged. The Okanagan Valley Birding Trail guide published by their club has sold over 900 copies. Eco-tourism is alive and well in the valley and the growth strategy should help encourage that. He urged the Board to implement the RGS as soon as possible.

John Stoneberg, St. Andrews by the Lake, is in agreement with the RGS. Qualified people have worked on developing this plan. This plan preserves the observatory by taking St. Andrews out of growth area. Board cannot govern without a plan but now there is a plan. He asked if this document is a bylaw or a guide, and what could prevent the document from proceeding.

The Planner stated that the RGS is a bylaw that contains guiding policies. There is an amendment process set out in legislation for any changes to the bylaw. After the public hearing, the bylaw will be forwarded to member municipal councils for their formal approval, and then to the RDOS Board for third reading.

Jim Bryan, Penticton, stated that he has followed the development of the RGS and commends the staff and directors. He hopes bylaw is adopted.

Rory McIvor, Penticton, stated that he supports the document. He is pleased that the electromagnetic interference area with respect to the observatory has become an integral part of the document.

Ron Tireman, St. Andrews, stated that the observatory is very important to the residents of the area. He is pleased something will be in place to be a guideline for developers and others coming into the area.

Janelle Partemchuk, Penticton, stated that she is pleased that there is the RGS to promote thoughtful, considerate development and preserving the natural areas.

Gordon Howett, Edmonton Avenue, Penticton asked why there is a 20 year minimum. There should be an end plan with the total water supply. This is a half step. The plan should state an upper limit for growth that is practical. Why not have total limit to growth decided so as to not run out of our water supply. We don't have to continue to expand.

The Planner stated that the Regional Growth Strategy recommends that water sustainability be addressed.

Irene Roberts, St. Andrews, asked about the last opportunity to submit letters or emails.

The Recording Secretary responded that no letters or emails could be submitted after the close of this evening's public hearing.

Benoit Robert, Penticton, stated that he is in support of the document and feels that it will give us a great environment to live in. DRAO needs to be protected. It is under appreciated and we need to preserve its operational viability. The RGS document will go a long way toward that. He is also the president of FOTON (Friends of the Observatory Network) which is a small group that promotes information exchange about issues affecting DRAO. FOTON members are delighted with the RGS document. He submitted the mission statement and a pamphlet regarding FOTON which are attached and form part of these minutes.

Harold King, Oliver, stated that he has seen many changes in the valley over the years. The Oliver Naturalist Club is in support of the RGS document. He urged people to not be the silent majority, but to say what they want.

Dianna McGregor, Penticton, stated that it is important to have the Regional Growth Strategy. It is important to protect DRAO from growth that would destroy its ability to function.

Chris Purton, Farley Lake, commended the Regional District on the Regional Growth Strategy. This document is important for the future of the South Okanagan. It sets the tone for future studies that will come later. Future residents will realize what a special place they live in and will thank us for this document.

Sean Dougherty, Director of DRAO, thanked the Regional District Board for their long-sightedness and stated that he is overwhelmed for the support from the community for the observatory.

Al Tinka, Summerland, stated that he is in support of the Regional Growth Strategy. He hopes that Board Members will not vote contrary to the volume of submissions in support of the document and that this plan will go through. We need to preserve our beautiful area for future generations from poorly planned growth.

The Chair asked a second time if there was anyone who wished to speak further to the proposed bylaw.

The Chair asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, declared the public hearing closed at 8:00 p.m.

I hereby certify this to be a fair and accurate summary of the nature of the representations made by the public at the hearing held on December 8 and 9, 2009 with regard to Bylaw No. 2421.

Chair

"Gillian Cramm"
Recording Secretary

[Attachments](#)

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